

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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3COM CORPORATION,

Index No. 07-Civ.-8707 (JSR)(DF)

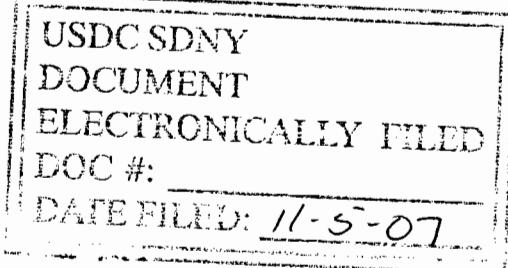
Plaintiff,

STIPULATION AND ORDER

-against-

CAPITAL 4, INC., F. DAVIS DAWSON
and ISH VILLA-LOBOS,

Defendants,

x

IT IS HEREBY STIPULATED AND AGREED by the parties through their respective counsel that the defendants' time to answer, move, or otherwise respond to the Complaint in this action is extended to November 23, 2007; and

IT IS HEREBY FURTHER STIPULATED AND AGREED that defendants F. Davis Dawson and Ish Villa-Lobos shall file a motion to dismiss the Complaint, pursuant to Fed. R. Civ. P. 12(b), on or before November 23, 2007; plaintiff shall file its opposition to such motion to dismiss on or before December 21, 2007; the moving defendants shall file their reply in further support of the motion to dismiss on or before January 4, 2008, and counsel shall appear for oral argument at 1pm on January 11, 2008.

Dated: November 2, 2007
New York, New York

Daniel E. Rosenfeld (tr)

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*Counsel for Defendants Capital 4, Inc., F.
Davis Dawson and Ish Villa-Lobos*

SO ORDERED,

Jed S. Rakoff
Hon. Jed S. Rakoff, U.S.D.J.
11/2/07